

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

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| IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. UKI COMMUNICATIONS, INC., Respondent. | DOCKET NO. FCU-03-41 |
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ORDER ASSIGNING TO ADMINISTRATIVE LAW JUDGE

(Issued March 5, 2004)

On June 23, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a petition for a proceeding to impose civil penalties against UKI Communications, Inc. (UKI), pursuant to Iowa Code § 476.103 (2003), for an alleged violation of the Board's slamming rules.

On January 20, 2004, the Board issued an order docketing Consumer Advocate's petition as a formal proceeding, identified as Docket No. FCU-03-41, and requesting that UKI respond to the allegations raised in Consumer Advocate's petition.

On February 3, 2004, UKI filed a letter with the Board indicating that it was discontinuing intrastate toll service in Iowa. UKI also indicated that its customers were informed of the change and were told to choose another provider.

In its January 20, 2004, the Board determined that there is sufficient information to warrant further investigation in this matter. While it seems that UKI is no longer providing intrastate toll service in Iowa as indicated by its February 3, 2004, letter, it remains unclear as to what services, if any, UKI continues to offer in other states. Therefore, the Board will assign this matter to its administrative law judge (ALJ) for investigation and further proceedings pursuant to Iowa Code § 17A.11(1)"b" (2003). The ALJ will investigate the status of UKI's service and, if necessary, will set a hearing date, preside at hearing, and issue a proposed decision.

IT IS THEREFORE ORDERED:

Pursuant to Iowa Code § 17A.11(1)"b" and 199 IAC 7.1(4), this docket is assigned to the Board's administrative law judge, Amy Christensen, to investigate this docket and, if necessary, conduct a hearing and issue a proposed decision. The administrative law judge shall have the authority provided under 199 IAC 7.1(4)"a" through "j."

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 5th day of March, 2004